

Exhibit 23
NEW ELK COAL COMPANY LLC - CO UCC-1 FILINGS



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a report consisting of 18 pages of all secured transaction records on record in this office as of Monday, February 13, 2023 10:25:26 AM, which designate "NEW ELK COAL COMPANY LLC" as debtor.

Certification ID #: 75383

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive, flowing style.

Secretary of State

STATE OF COLORADO**Department of State**1700 Broadway Suite 550
Denver, Colorado 80290**Jena Griswold**

Secretary of State of the State of Colorado

Search Report

This report reflects documents delivered on paper through 02/11/2023 and documents delivered electronically through 02/13/2023

Search Criteria:

Debtor Name: NEW ELK COAL COMPANY LLC

Normalized org. name: NEWELKCOAL

The search results include lapsed records.

This report was created on : Monday, February 13, 2023 10:25:28 AM

Record 1 of 18

Record ID #: 20162100458

Record Type: UCC

File Date: 11/04/2016 11:04:35 AM

Filing office: Secretary of State

Lapse date: 11/04/2021

Debtor: New Elk Coal Company, LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20162100458

Secured Party: Cline Mining Corporation

Address 1: 47 Colborne Street

City: Toronto

State: ON

Zip/Postal Code: M5H 2S7

Province:

Country: United States

Comments: Added by: 20162100458

| | Document # | File Date | Type |
|---|-------------|------------|---------------------------|
| 1 | 20162100458 | 11/04/2016 | UCC financing statement |
| 2 | 20182086622 | 09/27/2018 | UCC amendment-termination |

Record 2 of 18

Record ID #: 20172017633

Record Type: UCC

File Date: 02/23/2017 04:52:29 PM

Filing office: Secretary of State

Lapse date: 02/23/2022

Debtor: New Elk Coal Company LLC

Address 1: 12250 Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20172017633

Secured Party: Computershare Trust Company of Canada, as trustee

Address 1: 100 University Avenue, 11th Floor

Address 2: North Tower

City: Toronto

State: ON

Zip/Postal Code: M5J 2Y1

Province: Ontario

Country: Canada

Comments: Added by: 20172017633

| | Document # | File Date | Type |
|---|-------------------|------------------|---------------------------|
| 1 | 20172017633 | 02/23/2017 | UCC financing statement |
| 2 | 20202120532 | 10/26/2020 | UCC amendment-termination |

Record 3 of 18

Record ID #: 20202120541

Record Type: UCC

File Date: 10/26/2020 04:05:00 PM

Filing office: Secretary of State

Lapse date: 10/26/2025

Debtor: New Elk Coal Company LLC

Address 1: 12250 HIGHWAY 12

City: WESTON

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20202120541

Secured Party: CLINE MINING CORPORATION

Address 1: 2 QUEEN STREET EAST, 12TH FLOOR

City: TORONTO

State: ON

Zip/Postal Code: M5C 3G7

Province: ONTARIO

Country: Canada

Comments: Added by: 20202120541

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20202120541 | 10/26/2020 | UCC financing statement |

Record 4 of 18

Record ID #: 20202120545

Record Type: UCC

File Date: 10/26/2020 04:08:15 PM

Filing office: Secretary of State

Lapse date: 10/26/2025

Debtor: New Elk Coal Company LLC

Address 1: 12250 HIGHWAY 12

City: WESTON

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20202120545

Secured Party: CLINE MINING CORPORATION

Address 1: 2 QUEEN STREET EAST, 12TH FLOOR

City: TORONTO

State: ON

Zip/Postal Code: M5C 3G7

Province: ONTARIO

Country: Canada

Comments: Added by: 20202120545

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20202120545 | 10/26/2020 | UCC financing statement |

Record 5 of 18

Record ID #: 20212057674

Record Type: UCC

File Date: 06/16/2021 01:58:40 PM

Filing office: Secretary of State

Lapse date: 06/16/2026

Debtor: New Elk Coal Company LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province: CO

Country: United States

Comments: Added by: 20212057674

Secured Party: WAGNER EQUIPMENT CO

Address 1: 18000 SMITH ROAD

City: Aurora

State: CO

Zip/Postal Code: 80011

Province:

Country: United States

Comments: Added by: 20212057674

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20212057674 | 06/16/2021 | UCC financing statement |

Record 6 of 18

Record ID #: 20212057723

Record Type: UCC

File Date: 06/16/2021 02:26:10 PM

Filing office: Secretary of State

Lapse date: 06/16/2026

Debtor: New Elk Coal Company LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province: CO

Country: United States

Comments: Added by: 20212057723

Secured Party: WAGNER EQUIPMENT CO

Address 1: 18000 SMITH ROAD

City: Aurora

State: CO

Zip/Postal Code: 80011

Province:

Country: United States

Comments: Added by: 20212057723

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20212057723 | 06/16/2021 | UCC financing statement |

Record 7 of 18

Record ID #: 20212068427

Record Type: UCC

File Date: 07/16/2021 08:13:05 AM

Filing office: Secretary of State

Lapse date: 07/16/2026

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20212068427

Secured Party: Caterpillar Financial Services Corporation

Address 1: 2120 West End Avenue

City: Nashville

State: TN

Zip/Postal Code: 37203

Province:

Country: United States

Comments: Added by: 20212068427

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20212068427 | 07/16/2021 | UCC financing statement |

Record 8 of 18

Record ID #: 20212113806

Record Type: UCC

File Date: 11/17/2021 02:05:08 PM

Filing office: Secretary of State

Lapse date: 11/17/2026

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20212113806

Secured Party: Caterpillar Financial Services Corporation

Address 1: 2120 West End Avenue

City: Nashville

State: TN

Zip/Postal Code: 37203

Province:

Country: United States

Comments: Added by: 20212113806

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20212113806 | 11/17/2021 | UCC financing statement |

Record 9 of 18

Record ID #: 20212114731

Record Type: UCC

File Date: 11/19/2021 12:30:28 PM

Filing office: Secretary of State

Lapse date: 11/19/2026

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20212114731

Secured Party: Caterpillar Financial Services Corporation

Address 1: 2120 West End Avenue

City: Nashville

State: TN

Zip/Postal Code: 37203

Province:

Country: United States

Comments: Added by: 20212114731

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20212114731 | 11/19/2021 | UCC financing statement |
| 2 | 20212124889 | 12/20/2021 | UCC amendment |

Record 10 of 18

Record ID #: 20212116555

Record Type: UCC

File Date: 11/24/2021 01:34:40 PM

Filing office: Secretary of State

Lapse date: 11/24/2026

Debtor: New Elk Coal Company LLC

Address 1: 12250 State Highway 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20212116555

Secured Party: Nebari Natural Resources Credit Fund I, LP

Address 1: 130 5th Avenue, Fifth Floor

City: New York

State: NY

Zip/Postal Code: 10011

Province:

Country: United States

Comments: Added by: 20212116555

| | Document # | File Date | Type |
|---|-------------------|------------------|---------------------------|
| 1 | 20212116555 | 11/24/2021 | UCC financing statement |
| 2 | 20222053851 | 05/24/2022 | UCC amendment-termination |

Record 11 of 18

Record ID #: 20222037614

Record Type: UCC

File Date: 04/13/2022 10:29:56 AM

Filing office: Secretary of State

Lapse date: 04/13/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222037614

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222037614

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222037614 | 04/13/2022 | UCC financing statement |

Record 12 of 18

Record ID #: 20222050693

Record Type: UCC

File Date: 05/16/2022 07:20:50 PM

Filing office: Secretary of State

Lapse date: 05/16/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222050693

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222050693

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222050693 | 05/16/2022 | UCC financing statement |

Record 13 of 18

Record ID #: 20222052793

Record Type: UCC

File Date: 05/20/2022 01:01:59 PM

Filing office: Secretary of State

Lapse date: 05/20/2027

Debtor: New Elk Coal Company LLC

Address 1: Suite 107, 109 Pitt Street

City: Sydney

State: OT

Zip/Postal Code: NSW 2000

Province:

Country: Australia

Comments: Added by: 20222052793

Secured Party: Collins St Convertible Notes Pty Ltd ACN 657 773 754, as Trustee for Collins St Convertible Note Fund

Address 1: Level 9, 365 Little Collins Street

City: Melbourne

State: OT

Zip/Postal Code: 3000

Province: VIC

Country: Australia

Comments: Changed by: 20222053381

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222052793 | 05/20/2022 | UCC financing statement |
| 2 | 20222053381 | 05/23/2022 | UCC amendment |

Record 14 of 18

Record ID #: 20222052878

Record Type: UCC

File Date: 05/20/2022 03:32:24 PM

Filing office: Secretary of State

Lapse date: 05/20/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222052878

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222052878

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222052878 | 05/20/2022 | UCC financing statement |

Record 15 of 18

Record ID #: 20222055311

Record Type: UCC

File Date: 05/26/2022 07:40:42 PM

Filing office: Secretary of State

Lapse date: 05/26/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222055311

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222055311

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222055311 | 05/26/2022 | UCC financing statement |

Record 16 of 18

Record ID #: 20222063822

Record Type: UCC

File Date: 06/21/2022 02:49:29 PM

Filing office: Secretary of State

Lapse date: 06/21/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222063822

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222063822

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222063822 | 06/21/2022 | UCC financing statement |

Record 17 of 18

Record ID #: 20222076011

Record Type: UCC

File Date: 07/25/2022 06:33:48 PM

Filing office: Secretary of State

Lapse date: 07/25/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222076011

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222076011

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222076011 | 07/25/2022 | UCC financing statement |

Record 18 of 18

Record ID #: 20222088020

Record Type: UCC

File Date: 08/26/2022 11:06:34 AM

Filing office: Secretary of State

Lapse date: 08/26/2027

Debtor: NEW ELK COAL COMPANY LLC

Address 1: 12250 STATE HWY 12

City: Weston

State: CO

Zip/Postal Code: 81091

Province:

Country: United States

Comments: Added by: 20222088020

Secured Party: Komatsu Financial Limited Partnership

Address 1: 8770 W Bryn Mawr Ave Suite 100

City: Chicago

State: IL

Zip/Postal Code: 60631

Province:

Country: United States

Comments: Added by: 20222088020

| | Document # | File Date | Type |
|---|-------------------|------------------|-------------------------|
| 1 | 20222088020 | 08/26/2022 | UCC financing statement |



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20202120541 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75388

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 10/26/2020 04:05:00 PM

Master ID: 20202120541

Validation Number: 20202120541

Amount: \$8.00

Debtor: (Organization)

Name: New Elk Coal Company LLC

Address1: 12250 HIGHWAY 12

Address2:

City: WESTON

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: CLINE MINING CORPORATION

Address1: 2 QUEEN STREET EAST, 12TH FLOOR

Address2:

City: TORONTO

State: ON

ZIP/Postal Code: M5C 3G7

Province: ONTARIO

Country: Canada

Collateral

Description:

All assets of Debtor, whether now owned or hereafter acquired.



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20202120545 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75389

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 10/26/2020 04:08:15 PM
Master ID: 20202120545
Validation Number: 20202120545
Amount: \$8.00

Debtor: (Organization)

Name: New Elk Coal Company LLC

Address1: 12250 HIGHWAY 12

Address2:

City: WESTON

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: CLINE MINING CORPORATION

Address1: 2 QUEEN STREET EAST, 12TH FLOOR

Address2:

City: TORONTO

State: ON

ZIP/Postal Code: M5C 3G7

Province: ONTARIO

Country: Canada

Collateral

Description:

The Debtor hereby grants the Secured Party a continuing security interest in all of the Debtors right, title and interest in and to all of the Debtors extracted coal and any proceeds from the sale thereof, now owned or at any time hereafter acquired.



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20212057674 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75390

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, stylized 'J' and 'G'.

Secretary of State

Colorado Secretary of State

Date and Time: 06/16/2021 01:58:40 PM

Master ID: 20212057674

Validation Number: 20212057674

Amount: \$8.00

Debtor: (Organization)

Name: New Elk Coal Company LLC

Address1: 12250 State Highway 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province: CO

Country: United States

Secured Party: (Organization)

Name: WAGNER EQUIPMENT CO

Address1: 18000 SMITH ROAD

Address2:

City: Aurora

State: CO

ZIP/Postal Code: 80011

Province:

Country: United States

Collateral

Description:

CATERPILLAR 982M AG, SERIAL NUMBER K1Y00473; AND ADDITIONS, REPLACEMENTS, ATTACHMENTS, SUBSTITUTIONS AND ACCESSIONS THERTO NOW OWNED OR HEREAFTER ACQUIRED AND PROCEEDS THEREOF. THIS IS AN INFORMATION FILING ONLY. THE FOREGOING ITEM IS OWNED BY WAGNER EQUIPMENT CO AND RENTED TO: NEW ELK COAL CO LLC



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20212057723 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75391

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 06/16/2021 02:26:10 PM

Master ID: 20212057723

Validation Number: 20212057723

Amount: \$8.00

Debtor: (Organization)

Name: New Elk Coal Company LLC

Address1: 12250 State Highway 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province: CO

Country: United States

Secured Party: (Organization)

Name: WAGNER EQUIPMENT CO

Address1: 18000 SMITH ROAD

Address2:

City: Aurora

State: CO

ZIP/Postal Code: 80011

Province:

Country: United States

Collateral

Description:

CATERPILLAR D9T, SERIAL NUMBER RJS01751; AND ADDITIONS, REPLACEMENTS, ATTACHMENTS, SUBSTITUTIONS AND ACCESSIONS THERTO NOW OWNED OR HEREAFTER ACQUIRED AND PROCEEDS THEREOF. THIS IS AN INFORMATION FILING ONLY. THE FOREGOING ITEM IS OWNED BY WAGNER EQUIPMENT CO AND RENTED TO: NEW ELK COAL CO LLC



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20212068427 consisting of 3 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75392

A handwritten signature in blue ink that reads "Jena Griswold".

Secretary of State

Case 23-10234-CTG
UCC Financing Statement

Doc 110-23 Filed 03/14/23 Page 30 of 62

Colorado Secretary of State

Date and Time: 07/16/2021 08:13:05 AM

Master ID: 20212068427

Validation Number: 20212068427

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 State Highway 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Caterpillar Financial Services Corporation

Address1: 2120 West End Avenue

Address2:

City: Nashville

State: TN

ZIP/Postal Code: 37203

Province:

Country: United States

Collateral

Description:

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-81499780-61780088

File name: ucc-9938be06-32d8-4da2-84c4-
c582f815a656.attach

Uploaded: 07/16/2021 08:13:05 AM

ONE (1) CATERPILLAR D9T Track Type Tractor SN: RJS01751

ONE (1) CATERPILLAR 982M Medium Wheel Loader SN: K1Y00245

And substitutions, replacements, additions and accessions thereto, now owned or hereafter acquired and proceeds thereof. The above collateral is within the scope of Article 9 of the Uniform Commercial Code (if this statement is filed in New Jersey, specifically Chapter 9 of Title 12A, pursuant to 12A:9-102 and 12A:9-109).



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20212113806 consisting of 3 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75393

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style.

Secretary of State

Colorado Secretary of State

Date and Time: 11/17/2021 02:05:08 PM

Master ID: 20212113806

Validation Number: 20212113806

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 State Highway 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Caterpillar Financial Services Corporation

Address1: 2120 West End Avenue

Address2:

City: Nashville

State: TN

ZIP/Postal Code: 37203

Province:

Country: United States

Collateral

Description:

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-83512192-62604017

File name: ucc-e2e8071e-d447-45b2-8e7c-4f09fbff2369.attach

Uploaded: 11/17/2021 02:05:08 PM

ONE (1) CATERPILLAR 815FII Soil Compactor S/N: BYN00454

And substitutions, replacements, additions and accessions thereto, now owned or hereafter acquired and proceeds thereof. The above collateral is within the scope of Article 9 of the Uniform Commercial Code (if this statement is filed in New Jersey, specifically Chapter 9 of Title 12A, pursuant to 12A:9-102 and 12A:9-109).



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20212114731 consisting of 3 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75394

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Case 23-10234-CTG
UCC Financing Statement

Doc 110-23 Filed 03/14/23

Page 38 of 62

Colorado Secretary of State

Date and Time: 11/19/2021 12:30:28 PM

Master ID: 20212114731

Validation Number: 20212114731

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 State Highway 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Caterpillar Financial Services Corporation

Address1: 2120 West End Avenue

Address2:

City: Nashville

State: TN

ZIP/Postal Code: 37203

Province:

Country: United States

Collateral

Description:

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-83554892-62619741

File name: ucc-fb2632a5-2909-4eea-9f01-
dc9d24b4d028.attach

Uploaded: 11/19/2021 12:30:28 PM

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:

And substitutions, replacements, additions and accessions thereto, now owned or hereafter acquired and proceeds thereof. The above collateral is within the scope of Article 9 of the Uniform Commercial Code (if this statement is filed in New Jersey, specifically Chapter 9 of Title 12A, pursuant to 12A:9-102 and 12A:9-109).



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20212124889 consisting of 3 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75395

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Case 23-10234-CTG Doc 110-23 Filed 03/14/23 Page 42 of 62
UCC Financing Statement Amendment

Colorado Secretary of State
Date and Time: 12/20/2021 06:59:53 AM
Master ID: 20212114731
Validation Number: 20212124889
Amount: \$8.00

Initial Financing Statement

File #: 20212114731

File Date: 11/19/2021 12:30:28 PM

Filing office: Secretary of State

Collateral

This amendment restates collateral

Description:

please see attachment

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-83997536-62800413

Authorizing Party (Secured Party): (Organization)

Name: Caterpillar Financial Services Corporation

Address1: 2120 West End Avenue

Address2:

City: Nashville

State: TN

ZIP/Postal Code: 37203

Province:

Country: United States

File name: ucc-1393d3c1-ec5d-46e6-bc79-
d132cb4f5657.attach

Uploaded: 12/20/2021 06:59:52 AM

ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N: 4E7AA35285ATA0788 ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N: 4E7AA35275ATA0782 ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N: 4E7AA35205ATA0784 ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:4E7AA35245ATA0786 ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N: 4E7AA352X5ATA0789 ONE (1) Vantage 3427RH Frameless End Dump Trailer S/N:4E7AA35277ASA1432 And substitutions, replacements, additions and accessions thereto, now owned or hereafter acquired and proceeds thereof. The above collateral is within the scope of Article 9 of the Uniform Commercial Code (if this statement is filed in New Jersey, specifically Chapter 9 of Title 12A, pursuant to 12A:9-102 and 12A:9-109).



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222037614 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75398

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, stylized "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 04/13/2022 10:29:56 AM

Master ID: 20222037614

Validation Number: 20222037614

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) Joy BH10 Battery Hauler, S/N# BH1777. ONE (1) Joy BH10 Battery Hauler, S/N# BH1780. ONE (1) Dapco BH01 Diesel Transport, S/N# 19609. ONE (1) Trey K 1500KVA Power Center, S/N# 16367. COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-85948589-63590323



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222050693 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75399

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 05/16/2022 07:20:50 PM
Master ID: 20222050693
Validation Number: 20222050693
Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) BH10 DC Battery Hauler, S/N# BH1776, equipped with Hauler Batteries and one battery charger.
COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS
AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-86579845-63876233



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222052793 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75400

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large initial 'J' and 'G'.

Secretary of State

Colorado Secretary of State

Date and Time: 05/20/2022 01:01:59 PM

Master ID: 20222052793

Validation Number: 20222052793

Amount: \$8.00

Debtor: (Organization)

Name: New Elk Coal Company LLC

Address1: Suite 107, 109 Pitt Street

Address2:

City: Sydney

State: OT

ZIP/Postal Code: NSW 2000

Province:

Country: Australia

Secured Party: (Organization)

Name: Collins St Convertible Notes Pty Ltd CAN 657 773 754, as Trustee for Collins St Convertible Note Fund

Address1: Level 9, 365 Little Collins Street

Address2:

City: Melbourne

State: OT

ZIP/Postal Code: 3000

Province: VIC

Country: Australia

Collateral

Description:

All Assets.

Optional Information

Optional filer reference data/miscellaneous information:

For filing with the Colorado Secretary of State/1001424.0001



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222053381 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75401

A handwritten signature in blue ink that reads "Jena Griswold".

Secretary of State

Case 23-10234-CTG Doc 110-23 Filed 03/14/23 Page 52 of 62
UCC Financing Statement Amendment

Colorado Secretary of State
Date and Time: 05/23/2022 01:41:35 PM
Master ID: 20222052793
Validation Number: 20222053381
Amount: \$8.00

Initial Financing Statement

File #: 20222052793 File Date: 05/20/2022 01:01:59 PM Filing office: Secretary of State

Secured Party: (Organization) - Changed

Name: Collins St Convertible Notes Pty Ltd ACN 657 773 754, as Trustee for Collins St Convertible Note Fund

Address1: Level 9, 365 Little Collins Street

Address2:

City: Melbourne

State: OT

ZIP/Postal Code: 3000

Province: VIC

Country: Australia

Authorizing Party (Secured Party): (Organization)

Name: Collins St Convertible Notes Pty Ltd ACN 657 773 754, as Trustee for Collins St Convertible Note Fund

Address1: Level 9, 365 Little Collins Street

Address2:

City: Melbourne

State: OT

ZIP/Postal Code: 3000

Province: VIC

Country: Australia



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222052878 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75402

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, flowing "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 05/20/2022 03:32:24 PM

Master ID: 20222052878

Validation Number: 20222052878

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) BH10 DC Battery Hauler, S/N# BH1781, equipped with Battery number 8A. COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-86679909-63922612



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222055311 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75403

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, stylized "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 05/26/2022 07:40:42 PM
Master ID: 20222055311
Validation Number: 20222055311
Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) BH10 DC Battery Hauler equipped with Battery 1A, S/N# BH1774. COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-86787291-63970806



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222063822 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75404

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, stylized 'J' and 'G'.

Secretary of State

Colorado Secretary of State

Date and Time: 06/21/2022 02:49:29 PM

Master ID: 20222063822

Validation Number: 20222063822

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) Joy BH10 DC, S/N# BH1779, Battery Hauler with Battery 6A. COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-87227762-64165540



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222076011 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75405

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, stylized "J" and "G".

Secretary of State

Colorado Secretary of State

Date and Time: 07/25/2022 06:33:48 PM

Master ID: 20222076011

Validation Number: 20222076011

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) Joy BH10 Battery Hauler, S/N# BH1778, equipped with BATTERIES 2A, 2C and 5A, with Charger. COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-87846510-64425261



STATE OF COLORADO

DEPARTMENT OF STATE

CERTIFICATE

I, Jena Griswold, Secretary of State of the State of Colorado, hereby certify that the attached document is a true and correct copy of Document number 20222088020 consisting of 1 pages on record with the Secretary of State.

Certification Date: February 13, 2023 10:25:26 AM

Certification ID #: 75406

A handwritten signature in blue ink that reads "Jena Griswold". The signature is written in a cursive style with a large, stylized 'J' and 'G'.

Secretary of State

Colorado Secretary of State

Date and Time: 08/26/2022 11:06:34 AM

Master ID: 20222088020

Validation Number: 20222088020

Amount: \$8.00

Debtor: (Organization)

Name: NEW ELK COAL COMPANY LLC

Address1: 12250 STATE HWY 12

Address2:

City: Weston

State: CO

ZIP/Postal Code: 81091

Province:

Country: United States

Secured Party: (Organization)

Name: Komatsu Financial Limited Partnership

Address1: 8770 W Bryn Mawr Ave Suite 100

Address2:

City: Chicago

State: IL

ZIP/Postal Code: 60631

Province:

Country: United States

Collateral

Description:

ONE (1) BH10, S/N# BH1775, With all accessories and attachments. COMPLETE WITH ALL PRESENT ATTACHMENTS, ACCESSORIES, REPLACEMENT PARTS, ADDITIONS AND ALL PROCEEDS THEREOF.

Optional Information

Optional filer reference data/miscellaneous information:

CO-0-88429560-64679267